

MINUTES
CITY PLANNING COMMISSION

Minutes of the City Planning Commission meeting held May 27, 2021 in the City Council Auditorium, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:30 p.m. by Chairman David Denham.

MEMBERS PRESENT: David Denham
Ron Jarvis
Neil Springborn
Darren Medders
Shelli Fox
Deborah Jones
John Jones
Paula Bowen

MEMBERS ABSENT: Dave Davison (excused)

ALSO PRESENT: Richard Rogalski, Deputy City Manager
Cindy Augustine, Planning and Subdivision Administrator
Greg Gibson, Assistant City Attorney
Tammy Anderson, Recording Secretary

CONSIDER APPROVING THE MINUTES OF THE MAY 13, 2021 MEETING.

MOTION by Springborn, SECOND by Medders, to approve the minutes of the May 13, 2021 meeting. AYES: Jarvis, Denham, Fox, D. Jones, J. Jones, Bowen, Medders, Springborn. NAYS: None. MOTION CARRIED 8 - 0.

HOLD A PUBLIC HEARING AND CONSIDER AN AMENDMENT TO THE LAND USE PLAN FROM RESIDENTIAL/LOW DENSITY TO PUBLIC FACILITY, A CHANGE OF ZONING FROM R-2 TWO FAMILY DWELLING DISTRICT TO P-F PUBLIC FACILITIES DISTRICT ZONING CLASSIFICATION, AND A REQUEST FOR A USE PERMITTED ON REVIEW FOR A USE ASSOCIATED WITH A CHURCH LOCATED IN P-F PUBLIC FACILITIES DISTRICT ZONING CLASSIFICATION ON PROPERTY LOCATED AT 516 NW ARLINGTON AVENUE.

1. This request is for Lot 8, Block 61, North Addition, located at the southeast corner of NW 6th Street and NW Arlington Avenue. The proposed use is parking

- area and an accessory structure associated with Bethlehem Baptist Church. The property owner is Bethlehem Baptist Church.
2. The zoning of the surrounding area is:
 - North - R-2
 - South - R-4
 - East - R-2
 - West - R-2
 3. The land use of the surrounding area is:
 - North - single-family residential
 - South - two-family residential
 - East - single-family residential
 - West - Bethlehem Baptist Church
 4. As shown on the site plan submitted with the application, the applicant proposes to construct a parking lot and garage. This property will be bound to the church located on the west side of NW 6th Street.
 5. Notice of public hearing was mailed to 30 owners of property within 300 feet of the requested area on May 7, 2021 and proper notice was published in *The Lawton Constitution* on May 12, 2021. No calls for or against have been received.
 6. Staff has reviewed the request and recommends approval. The analysis is as follows:

The purpose of the application is to construct a parking lot and garage. This analysis is based upon criteria set out in Title 11, Sections 43-102 and 43-103, Oklahoma Statutes.

1. *To lessen congestion in the streets.* This property is located at the southeast corner of 6th Street and Arlington Avenue. The functional classification of 6th Street is a major collector and Arlington Avenue is a local street.
2. *To secure from fire, panic, and other dangers.* This property is not within the 100-year floodplain.
3. *To promote health and the general welfare.* All construction, i.e., drives, parking, sidewalks, landscaping, etc., will have to meet all City Code requirements.
4. *To provide adequate light and air.* The site plan includes the required tree screen between this tract and the residential property to the east.
5. *To prevent the overcrowding of land.* This criterion does not apply.
6. *To promote historical preservation.* This criterion does not apply.
7. *To avoid undue concentration of population.* This criterion does not apply.
8. *To facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.* There are no public utilities to be constructed.

9. *To conserve the character of the district and buildings and encourage the most appropriate land uses.* Bethlehem Baptist Church is on the southwest corner of 6th Street and Arlington Avenue

Based upon these facts, it is recommended the request be approved.

City Council will consider granting a revocable permit for parking on the rights-of-way and a variance reducing the front yard setback along NW 6th Street from 25 feet to 10 feet. The functional classification of NW 6th Street is a collector. Lawton City Code requires the right-of-way for a collector to be 60 feet wide. The current right-of-way width of NW 6th Street is 80 feet. The distance from the curb to the proposed garage would be approximately 12 feet.

Rogalski said the site plan for the property would be a binding site plan, and the property would have to be bound to the church that is across the street.

Rogalski said the Planning Division did received one phone call from an individual who had concerns about the property being sufficiently buffered from adjacent properties. Rogalski City Code requires a tree screen. He said this site plan shows the tree screen to be there.

Chairman Denham asked if setback regulations apply to the alleyway as well.

Rogalski said this is an accessory building, and that's allowed in a rear yard. Primary buildings have the setback requirements.

Commissioner D. Jones asked if the applicant indicated what type of building materials they will use for the garage.

Rogalski said not at this time, but they would have to meet building material requirements in City Code.

Commissioner D. Jones asked if the building material requirements in City Code allow for a metal building or garage.

Rogalski said the garage would have to match the nature of the primary building, which is the church.

Commissioner D. Jones said the primary building is metal with a brick veneer.

Rogalski said if a metal garage is built the Commission could place a condition that the building must have a brick veneer or wainscoting.

Commissioner D. Jones said doesn't want to see another metal building. She said she'd like for the garage to match the nature of the surrounding neighborhood.

Commissioner J. Jones inquired about parking on the City right-of-way. He asked if there is a requirement for the applicant to maintain the portion of the City's right-of-way that they are using.

Rogalski said yes. He said usage of the right-of-way is granted with a revocable permit. The area would remain a public right-of-way, but the applicant would have to maintain it.

Commissioner D. Jones asked if the applicant has been informed that historically the City has proposed this be a minor arterial.

Rogalski said he doesn't believe so.

Chairman Denham said this church needs additional parking. He said currently church members are having to park along the street.

Chairman Denham declared the public hearing open.

Jennifer Honeyager, 514 NW Arlington, said the church has been quiet and they've been great neighbors. She asked what height the wooden fence would be.

Rogalski said 6-8 feet.

Mrs. Honeyager asked if the fence can be built at 8 feet. She said the parking lot would be directly adjacent to one of the bedrooms of her house, and she is concerned about privacy issues. Mrs. Honeyager said she's not sure exactly where her property line is. She asked if the property line is where the existing fence is.

Rogalski said the property line would be assessed before the new fence is built.

Brian Honeyager, 514 NW Arlington, said there are trees that have grown into the existing fence. He said the existing fence will need to come down. He said he's fine with the church taking down the chain link fence if they need to.

Mrs. Honeyager asked what type of trees would be planted for the tree buffer.

Willie Smith, lead pastor at Bethelham Baptist Church, said the church doesn't mind building an 8-foot wooden fence. However, he said if a survey determines the existing chain link fence is on the Honeyager's property then it should be the Honeyager's responsibility. He said if it's determined that the chain link fence is on church property, they will take it down. Pastor Smith said the church had been getting complaints about church members parking along the street. He said the addition of a parking lot would help resolve this issue.

Mr. Robertson said he's been working on the engineering for the additional building, and he said they will make it correlate with the existing church building. He said they will use a brick veneer if needed to tie it in with the church building.

Commissioner D. Jones said she will not support a metal building without a brick veneer. She said it would be in the applicants best benefit to get a survey of the property before this item goes to Council.

Chairman Denham declared the public hearing closed.

MOTION by D. Jones, SECOND by Medders, to recommend approval to the City Council of an amendment to the Land Use Plan from Residential/Low Density to Public Facility, a change of zoning from R-2 Two Family Dwelling District to P-F Public Facilities District zoning classification, and approval of a Use Permitted on Review for a use associated with a church located in P-F Public Facilities District zoning classification on property located at 516 NW Arlington Avenue, subject to the following conditions: that the screening fence be at least 8 feet tall on the east side, that the materials used for the garage be compatible with the surrounding residential area and the current church building, and that no metal building without some treatment be allowed. AYES: Jarvis, J. Jones, Bowen, Medders, Springborn, Denham, Fox, D. Jones. NAYS: None.
MOTION CARRIED 8 – 0.

COMMISSIONERS' REPORTS OR COMMENTS

None

SECRETARY'S REPORT

Rogalski thanked Paul and Cindy for their collaboration on this agenda item.

Rogalski said Tammy Anderson will be moving to the City Clerk's office next week, but she will continue to help the Planning Division until her former position is filled.

AUDIENCE PARTICIPATION

None.

ADJOURNMENT

Meeting adjourned at 1:52 p.m.

David Denham, Chairman
City Planning Commission